

# Buchalter

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October 15, 2020

Honorable Robert D. Drain  
United States Bankruptcy Judge  
U.S. Bankruptcy Court for the District of New York  
2000 Quarropas Street  
White Plains, NY 10601-4140

Re: The Official Committee of Unsecured Creditors v. McKesson Corp.  
(Adv. Pro. 17-08264);  
The Official Committee of Unsecured Creditors v. Pharmacy Systems, LLC  
(Adv. Pro. 17-08265); and  
The Official Committee of Unsecured Creditors v. McKesson Specialty Care  
Distribution Corp. (Adv. Pro. 17-08266)  
(collectively, the “Adversary Proceedings”)

Dear Judge Drain:

The Plaintiff and the McKesson defendants respectfully submit this joint request to extend the discovery cutoff deadline and reschedule the pretrial conferences in each of the Adversary Proceedings. All parties in the Adversary Proceedings request an extension of the discovery cutoff from October 23, 2020 to February 12, 2021 and rescheduling the final pre-trial conference to Monday, March 1, 2021, if the Court is available on that date. We had hoped to have completed discovery, but for a number of reasons, we have not been successful.

Among the circumstances that caused delays were the following: (i) lead counsel for the McKesson defendants faced medical issues and procedures related to a now-diagnosed non-malignant tumor in his thoracic cavity; (ii) in August, our firm faced an outside intrusion into its computer systems that required a firm-wide shutdown of all computer systems for several weeks before functionality could be reintroduced on a process by process, program by program basis; and (iii) the Relativity program we use for document review and production was one of the last programs reintroduced to the computer system. The computer shutdown substantially interfered with our ability to provide documents requested by counsel for the Plaintiff, and while a large

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volume of documents has been provided, a few documents have yet to be produced. In addition, Plaintiff is still in the process of responding to our document production, and we anticipate that the current pandemic will create continuing challenges in our scheduling of depositions.

Based on the foregoing, the parties respectfully request that the enclosed proposed amended scheduling and pre-trial orders be entered by the Court.

Very truly yours,

BUCHALTER  
A Professional Corporation

Jeffrey K. Garfinkle  
Shareholder

cc: Tracy Klestadt, Esq.  
Richard K. Milin, Esq.